Remarks

This is a response to the Office Action dated August 3, 2005. Appropriate extension of time to respond has been requested.

Claims 1 and 19 under 35 U.S.C. 112, second paragraph, were rejected as being indefinite.

In response to this rejection, claim 1 has been amended to further define and clarify the present invention. It is believed that claim 1 as amended is devoid of any of the indefiniteness noted by the examiner.

Claims 1 and 19 under 35 U.S.C. 102(b), were rejected as being anticipated by either of Savage (US 6,026,372) and Tone et al. (US 5,596,493); and also rejected under 35 U.S.C. 103(a), as being unpatentable over Japanese document 04-005794 issued to Kosei.

The above prior art rejections are respectfully traversed hereinbelow, per the discussion of the differences between the present invention as defined in amended claim 1 and each of Savage, Tone and Kosei.

In the present invention, the total number of articles, which is necessary after a predetermined interval, is predicted in accordance with the total number of sold articles for the last preceding unit interval, the total number of stocked articles at the time after the last preceding unit interval, the total number of pending articles at the time after the last preceding unit interval and the average number of articles for a prior interval including consecutive preceding unit intervals.
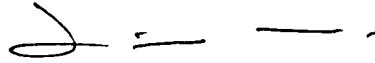
(S.N. 09/903,567)

In contrast, Savage teaches an electronic cash register. In this register, prediction commencement time decision means 44 computes a proper time to transmit a cooking instruction for each food item , and prediction commencement time registration means 46 registers therein the value of the prediction commencement time decision means 44 (see column 2, lines 56-64). However, Savage does not teach the prediction of the number of articles in accordance with the number of sold articles for a preceding unit interval, the number of stocked articles, the number of pending articles to be prepared and the average number of articles sold for a prior interval including consecutive preceding unit intervals.

Tone teaches a method for predicting a sale volume. More particularly, a personal computer 30 finds sale amount data of individual articles for a predetermined period, and calculates basic static values of daily sale amounts of the individual articles based on the data of the sale amounts of the individual articles (see column 21, lines 55-62). However, Tone does not teach the prediction of the number of articles in accordance with the number of stocked articles, the number of pending articles to be prepared and the average number of articles sold for a prior interval including consecutive preceding unit intervals.

Kosei teaches a POS system. In this system, the number of articles to be sold for a succeeding predetermined time interval is predicted in accordance with the number of current selling information, past selling information and stock information. However, Kosei does not teaches the number of pending articles to be prepared and the average number of articles sold for a prior interval including consecutive preceding unit intervals.

For all of the above reasons, it is respectfully submitted that amended claim 1 is now clearly distinguishable from the technical features of Savage, Tone and Kosei, and thus, the rejections under 35 U.S.C. 112, second paragraph, 35 U.S.C. 102(b) and 35 U.S.C. 103(a) should now be withdrawn, this amendment be entered, and the case passed to issue.

Respectfully submitted,

Louis Woo, RN 31,730
Law Offices of Louis Woo
717 North Fayette Street
Alexandria, Virginia   22314
(703) 299-4090

Date: Jan 25, 2006

(S.N. 09/903,567)